

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FAIR HOUSING JUSTICE CENTER,
INC, et al.,

Plaintiffs,

- against -

HOWARD A. ZUCKER, et al.,

Defendants.
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USDC SDNY
DOCUMENT
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DATE FILED: 6/22/2021

18-cv-3196 (VSB) (RWL)

ORDER

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This matter having been referred to me, and to the extent the issue is not already moot, the Court resolves the 30(b)(6) deposition issue raised at Dkt. 247 as follows. So that the State Defendants can adequately prepare their witness on subject 26, at least 21 days in advance of the deposition on that topic Plaintiffs shall identify in writing for Defendants the following:

1. The specific regulations, policies, practices, and procedures that Plaintiffs contend require modification pursuant to (g)(i) and (ii) on pages 56-57 of the Amended Complaint. Plaintiffs are not expected necessarily to know or determine every regulation, policy, practice, or procedure that may require such modification. However, Plaintiffs must identify at least those of which they currently are aware. For each regulation, policy, practice, or procedure identified by Plaintiffs, Plaintiffs must also identify the specific modifications they believe should be made.

2. Any additional affirmative step not identified in (g) on page 56-57 of the Amended Complaint that would be encompassed by the qualification “include, but are not limited to,” to the extent Plaintiffs are presently aware of such additional step.

3. The information to be provided by Plaintiffs is without prejudice to Plaintiffs’ supplementation of that information based on additional information learned in either fact or expert discovery. Similarly, State Defendants’ 30(b)(6) answers to Topic 26 questions may be supplemented based on any supplemental information provided by Plaintiffs.

4. The Court finds that the other categories of affirmative relief requested (g)(iii-vii) are sufficiently described for State Defendants to prepare a witness for Subject 26.

SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Lehrburger', with a long horizontal stroke extending to the right.

ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: June 22, 2021
New York, New York